

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Evelis Otero	Team: Team # 3	CCRB Case #: 201310342	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Saturday, 11/02/2013 11:22 PM	Location of Incident: § 87(2)(b) and the 77th Precinct stationhouse		Precinct: 77	18 Mo. SOL 5/2/2015	EO SOL 5/2/2015
Date/Time CV Reported Sat, 11/02/2013 11:59 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Mon, 11/04/2013 7:19 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM David Lamarre	01841	947929	077 PCT
2. SGT Francis Cooper	01970	921232	077 PCT
3. POM Brian Feeley	02768	944550	077 PCT
4. Officers			077 PCT
5. POM Danny Aguilar	13811	941319	077 PCT

Officer(s)	Allegation	Investigator Recommendation
A. Officers	Force: Inside of § 87(2)(b) in Brooklyn, officers used physical force against § 87(2)(b)	
B.SGT Francis Cooper	Force: Inside of § 87(2)(b) in Brooklyn, Sergeant Francis Cooper used physical force against § 87(2)(b)	
C.POM David Lamarre	Force: Inside of § 87(2)(b) in Brooklyn, PO David Lamarre used physical force against § 87(2)(b)	
D.POM Brian Feeley	Force: Inside of § 87(2)(b) in Brooklyn, PO Brian Feeley used physical force against § 87(2)(b)	
E.POM Danny Aguilar	Force: Inside of § 87(2)(b) in Brooklyn, PO Danny Aguilar used physical force against § 87(2)(b)	
F.POM Danny Aguilar	Abuse: Inside of § 87(2)(b) in Brooklyn, PO Danny Aguilar threatened § 87(2)(b) with the use of force.	
G.SGT Francis Cooper	Discourtesy: Inside of the 77th Precinct stationhouse, Sergeant Francis Cooper spoke rudely to § 87(2)(b)	

### Case Summary

On November 2, 2013, § 87(2)(b) filed this complaint via telephone with IAB on behalf of herself and her husband, § 87(2)(b) generating IAB Log No. 13-46688. The aforesaid complaint was forwarded to the CCRB on November 25, 2013. On November 4, 2013, § 87(2)(b) also filed this complaint with the CCRB via the Call Processing System.

The undersigned investigator attempted contacting § 87(2)(b) and § 87(2)(b) via telephone on November 7, 2013. However, contact was not established with them and a detailed voice message was left. A subsequent call was made on November 25, 2013, at which time the undersigned investigator established contact with § 87(2)(b) provided a brief phone statement but refused to schedule an appointment. § 87(2)(b) explained that she and her husband had retained an attorney and that they needed to speak with him before scheduling an appointment. She asked the undersigned investigator to call back within a few days. A subsequent call was made on December 3, 2013. § 87(2)(b) answered and explained that she was unable to speak at the time. She provided a phone number for her husband at the time of the call. The undersigned investigator called § 87(2)(b) on the same day. § 87(2)(b) answered and instructed the investigator to contact his attorney, § 87(2)(b).

The undersigned investigator called § 87(2)(b) three times between the dates of December 3, 2013 and December 10, 2013. Detailed voice messages were left. A subsequent call was made on December 16, 2013, at which time contact was established with § 87(2)(b). § 87(2)(b) stated that he does not want his clients to provide statements to the CCRB until the conclusion of the criminal case. § 87(2)(b) is aware that the case could be re-opened upon request at the conclusion of the criminal case. On December 16, 2013, a letter was sent to § 87(2)(b) confirming his request that the CCRB case be closed. A copy of the letter was also mailed to § 87(2)(b) and § 87(2)(b) on the same date.

§ 87(2)(b), § 87(2)(g)

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Team: 3

Investigator: \_\_\_\_\_ Evelis Otero 12/16/2013  
Signature Print Date

Supervisor: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date